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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/818,709	03/28/2001	Anders Khullar	040071-264	1305

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EXAMINER	
HAN, CLEMENCE S	

ART UNIT	PAPER NUMBER
2665	

DATE MAILED: 01/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/818,709	KHULLAR ET AL.	
	Examiner	Art Unit	
	Clemence Han	2665	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 March 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1, 2, 7, 8, 10-12, 17-20 and 22* is/are rejected.

7)☒ Claim(s) *3-6,9,13-16 and 21* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *10/22/01, 2/21/02*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claim 1, 2, 7, 8, 10-12, 17-20 and 22 are rejected under 35 U.S.C. 102(a) as being anticipated by Olofsson et al. (US 6,167,031).

Regarding to claim 1, Olofsson teaches a method of generating link quality control information, the method comprising: receiving a received signal from a front end receiver (Column 11 Line 34-36); estimating time dispersion information during a synchronization of the received signal (Column 12 Line 21-24); and generating link quality control information using the time dispersion information, wherein the link quality control information includes information pertaining to an optimal transmission parameter (Column 11 Line 63 – Column 12 Line 1).

Regarding to claim 2, Olofsson teaches transmitting the link quality control information to a unit that transmitted the received signal (Figure 9 after Selector 118).

Regarding to claim 7, Olofsson teaches mapping a coding rate proposal to the time dispersion information using a lookup table containing a priori information about optimal coding rate as a function of the time dispersion, wherein the coding rate proposal is the optimal transmission parameter (Column 11 Line 48-62).

Regarding to claim 8, Olofsson teaches the optimal transmission parameter is a modulation format proposal (Column 11 Line 67).

Regarding to claim 10, Olofsson teaches the optimal transmission parameter includes at least one of a coding rate, a modulation format and a transmitting unit power output proposal (Column 11 Line 67 – Column 12 Line 1).

Regarding to claim 11, Olofsson teaches a transceiver comprising: a front end receiver that outputs a received signal (Column 11 Line 34-36); logic that estimates time dispersion information during a synchronization of the received signal (Column 12 Line 21-24); and logic that generates link quality control information using the time dispersion information, wherein the link quality control information includes information pertaining to an optimal transmission parameter (Column 11 Line 63 – Column 12 Line 1).

Regarding to claim 12, Olofsson teaches a transmitter 118 that transmits the link quality control information to a unit that transmitted the received signal (Figure 9).

Regarding to claim 17, Olofsson teaches logic that maps a coding rate proposal to the time dispersion information using a lookup table containing a priori information about optimal coding rate as a function of the time dispersion, wherein the coding rate proposal is the optimal transmission parameter (Column 11 Line 48-62).

Regarding to claim 18, Olofsson teaches the transceiver is a base station (Column 11 Line 34-36).

Regarding to claim 19, Olofsson teaches the transceiver is a mobile terminal (Column 11 Line 34-36).

Regarding to claim 20, Olofsson teaches the optimal transmission parameter is a modulation format proposal (Column 11 Line 67).

Regarding to claim 22, Olofsson teaches the optimal transmission parameter includes at least one of a coding rate, a modulation format and a transmitting unit power output proposal (Column 11 Line 67 – Column 12 Line 1).

Allowable Subject Matter

3. Claim 3-6, 9, 13-16 and 21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents are cited to further show the state of the art with respect to the invention in general.

U.S. Patent 5,373,507 to Skold

U.S. Patent 6,115,580 to Chuprun et al.

U.S. Patent 6,084,862 to Bjork et al.

U.S. Pub. 2001/0024964 to Wang et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clemence Han whose telephone number is (571) 272-3158. The examiner can normally be reached on Monday-Thursday 7 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on (571) 272-3155. The fax phone

number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

C. H.

Clemence Han
Examiner
Art Unit 2665

ALPUS H. HSU
PRIMARY EXAMINER